Jeff R. Lashaway
State Bar No. 24013007
BOERNER, DENNIS & FRANKLIN, PLLC
P. O. Box 1738
Lubbock, Texas 79408-1738
Phone: (806) 763-0044
Fax: (806) 763-2084
E-mail: jlashaway@bdflawfirm.com

ATTORNEYS FOR AIMBANK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§	
	§	
EMILY CRESS SORELLE	§	CASE NO. 10-70303-HDH-13
	§	
DEBTOR	§	

CREDITOR AIMBANK'S RESPONSE IN OPPOSITION TO MOTION TO REINSTATE

NOW COMES AIMBANK, a secured creditor, in the above styled and numbered case and files AIMBANK's response to Debtor's Motion to Reinstate Case.

1. AIMBANK admits the allegations contained in paragraphs 1 and 2 of the motion.

2. AIMBANK can neither admit nor deny the allegation contained in paragraphs 3, 4, 5, 6, 7, 8, and 9 of the Motion.

3. AIMBANK would affirmatively plead and show that debtor filed Chapter 13 on May 10, 2010 in Case number 10-70200 before this Court. Said case was dismissed June 29, 2010.

4. AIMBANK would further show that debtor filed this case on July 8, 2010. At the time of filing, Debtor filed a Motion to Extend Stay alleging "changed circumstances"

demonstrating her ability to complete her plan. On July 23, 2010 this Court extended its order extending the stay except for a detainer action.

5. AIMBANK would further show that this case was dismissed on January 3, 2011, with prejudice for 180 days.

6. AIMBANK would further show that it is listed as a secured creditor in the Debtor's Proposed Chapter 13 Plan [Document No. 2] and has filed a Proof of Claim [Claim No. 4] demonstrating that it is a secured creditor with a perfected security interest in a 2006 Cadillac Escalade VIN # 1GYEK63N96R116242 (the "Vehicle") [Claim No. 4].

7. AIMBANK would further show that, other than an adequate protection payment in the amount of $315.35 received from the Trustee in this case on September 1, 2010, the last payment made by the Debtor, either individually or through the Trustee in this matter, on the indebtedness owed to AIMBANK was in April of 2010 and this payment was for the February, 2010 payment.

8. Upon information and belief, AIMBANK would further show that the Vehicle is not covered by insurance as required by the loan documents governing the relationship between AIMBANK and the Debtor [Claim No. 4, Part 2 (attachment)].

WHEREFORE AIMBANK prays the relief requested be denied.

Respectfully submitted,

/s/ Jeff R. Lashaway
Jeff R. Lashaway
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CERTIFICATE OF SERVICE

I, Jeff R. Lashaway, hereby certify that on this 14th day of January, 2011, a true and correct copy of the above and foregoing instrument has either been served electronically or by United States mail, postage prepaid, to each of the following listed parties:

United States Trustee
1100 Commerce Street
Room 976
Dallas, Texas 75242

Walter O'Cheskey
Chapter 13 Trustee
6308 Iola Avenue
Lubbock, Texas 79424

John A. Leonard
LEONARD, KEY & KEY PLLC
900 8TH Street – Suite 327
P.O. Box 8385
Wichita Falls, Texas 76307-8385

Monte J. White
Monte J. White & Associates, P.C.
1106 Brook Avenue
Hamilton Place
Wichita Falls, Texas 76301

/s/ Jeff R. Lashaway
Jeff R. Lashaway